

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

APR 26 2004

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TIMOTHY J. JEGLA

Application No. 09/767,597

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on March 15, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellant electronically filed Information Disclosure Statements (IDS's) on January 22, 2001 and January 21, 2003. It is not clear from the record whether the examiner considered the statements submitted or whether the examiner notified appellant of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that the application is electronically returned to the examiner to consider both IDS's filed January 22, 2001 and January 21, 2003, notification to appellant in writing of such consideration, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:


Craig R. FEINBERG
Program and Resource Administrator
(703) 308-9797

cc: Townsend and Townsend and Crew, LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111-3834

CRF/clm/lb
RA04-0418